

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

RYAN RICHMOND,	:	NO. 1:03-CV-00220
	:	
Plaintiff,	:	
	:	
v.	:	<b>OPINION AND ORDER</b>
	:	
LEROY PAYTON, et al.,	:	
	:	
Defendants.	:	

In accordance with the Court's May 4, 2006 Order (doc. 19), Defendants submitted a report on May 10, 2006, on the status of the original investigation into Plaintiff's allegations that he was sexually assaulted while in the custody of the state in the Ohio River Juvenile Correctional Facility (doc. 20).

The Court has reviewed the status report, including the attached affidavit of Carol Hamilton O'Brien (Id.). Ms. O'Brien, the Assistant Attorney General originally representing the state in this matter, conducted an inquiry into Plaintiff's allegations (Id.). Such inquiry included discussions with various employees of the Department of Youth Services, the Office of the Institutional Inspector, and a review of Plaintiff's medical records (Id.). Current counsel for Defendants indicates that her follow-up contact with the Department of Youth Services turned up no later indication of the incident as reported by Plaintiff (Id.). The Court is now satisfied that the state conducted an investigation into Plaintiff's specific allegations.

Accordingly, consistent with its prior Orders in this matter (docs. 17, 19), the Court DISMISSES this matter WITH PREJUDICE pursuant to Fed. R. Civ. P. 41(b) for failure of the Plaintiff to prosecute his claims against Defendants.

SO ORDERED.

Dated: May 15, 2006

/s/ S. Arthur Spiegel  
S. Arthur Spiegel  
United States Senior District Judge